

REMARKS

I. STATUS OF CLAIMS

Claims 21-29 are pending. No claims have been allowed. Claims 30-33 have been added. Support for the additional recitations in the claim 21 is found in the specification, for example, page 1, paragraphs 18 and 19. The support for these newly added claims 30-33 is found in the specification, for example, page 1, paragraphs 17, 22, 23 and 25.

II. REJECTIONS

A. Rejection under 35 USC §112

The Examiner rejected claims 23-27 under 35 USC §112, second paragraph, as allegedly being indefinite.

The Examiner rejected claim 25 for recitation of the limitation "coordinate bond between active substances and polysaccharide". Applicants, without acquiescing in the Examiner's rejection, have obviated the rejection by deleting the recitation "coordinate." Applicants note that this amendment does not narrow down the scope of the claim.

The Examiner rejected claim 24 for recitation of the limitation "desired particle size" being allegedly indefinite and unclear. Applicants respectfully traverse the rejection and maintain that the term "desired particle size" is not indefinite and a skilled artisan is able to understand the meaning of this term. Furthermore, applicants have added in claim 33 a range for the "desired particle size."

The Examiner rejected claim 26-27 as indefinite under 35 USC §112, second paragraph, for depending on the allegedly indefinite claim 25. Applicants have obviated this rejection by obviating the indefiniteness rejection of claim 25.

B. Rejection under 35 USC §102

The Examiner rejected claims 21-29 under 35 USC §102(b) as anticipated by GB 2257358 A ("GB '358"). The Examiner maintains that GB '358 discloses use of organic raw materials, such as polysaccharides, for embedding vital substances such as vitamins, enzymes, coenzymes, minerals, trace elements and/or microorganisms, wherein the vital substances are embedded within the organic raw materials separately with regard to function.

Applicants, without acquiescing in the Examiner's rejection, have obviated the rejection by adding the recitation that "the polysaccharide and active ingredients embedded therein are adapted to one or more specific needs of the human or animal" in claim 21. As recited in amended claim 21, GB '358 does not disclose a step of adapting a polysaccharide to the specific needs of a human or animal.

Applicants further submit that the new claims 30-33 provide additional grounds for patentability over the cited reference.

For example, with respect to claim 32, the different absorption of liquid by the polysaccharide results in a deferred supply of the substances to the human or animal such that undesired premature interaction (antagonism) among the active substances is avoided and a continuous release of the substances is provided.

In the face of the amendments to the claims, applicants respectfully request reconsideration and withdrawal of the rejection.

Applicants note that this amendment is submitted under 37 CFR §1.114 along with a Request for Continued Examination. This submission is accompanied with the fee under 37 CFR §1.17(e).

In the event Applicant has overlooked the need for an extension of time, payment of fee, or additional payment of fee, Applicant hereby petitions therefor and authorizes that any charges be made to Deposit Account No. 02-0385, Baker & Daniels LLP.

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Application Serial No. 10/780,152
Amendment dated February 18, 2008
Reply to Office Action dated November 21, 2007

Should the Examiner have any questions regarding any of the above, the Examiner is respectfully requested to telephone the undersigned at 260-424-8000.

Respectfully submitted,



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Enc. Request for Continued
Examination

CERTIFICATE UNDER 37 C.F.R. 1.8(B)

I hereby certify that this correspondence is being electronically submitted to the United States Patent and Trademark Office to the attention of: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Adam F. Cox, Reg. No. 46,644

Name of Registered Representative



Signature

February 18, 2008

Date